

A. Main messages – Here are the main points we want to get across during the entire discussion, and these are shared messages with EPA and BLM. EPA is likely to speak first and cover these but to the extent they don't we can add to them in our opening remarks.

1. Consistent with conditions in the Governor's concurrence letter and NDEP request, EPA is postponing final NPL listing for the Anaconda Site while EPA, BLM and NDEP evaluate the feasibility of a private funding agreement for addressing the Site.
2. In the past few months, NDEP and ARC have engaged in good faith and constructive discussions surrounding this option.
3. BLM and EPA have recently joined these discussions and agree that additional time is needed to continue discussions and evaluate whether the option can be supported as a viable alternative to NPL.
4. All parties are seeking a remedy for the Site that is CERCLA-protective. Evaluation of an alternative to NPL listing that is CERCLA-protective alternative and would utilize private funding instead of federal funding for OU-8 is good public policy.
5. EPA, NDEP, and BLM are committed to transparency and clear and open dialogue in the evaluation of alternatives to NPL.
6. This summer, if these discussions do not result in an agreement on an alternative path, the EPA, NDEP and BLM will move forward to finalize listing of the site on the NPL in 2017.

B. Opening Remarks for Nevada – These would be given by Jim Lawrence to set the tone for our interaction and consultation going forward

Good evening, I'm Jim Lawrence, Deputy Director of the Nevada Department of Conservation and Natural Resources. On behalf of the State of Nevada, Governor Sandoval, and our Department Director Brad Crowell, I want to thank the Yerington Paiute Tribal Council for the opportunity to meet with you here today. Cleanup of the Anaconda Mine Site is of great importance to NDEP and the Governor and I can say we are each personally dedicated to progress

on actual site cleanup and protection of human health and the environment. We recognize that the problems posed by contamination from the site are a shared concern and that any long term sustainable solution requires input and consultation from all stakeholders, including the Yerington Paiute Tribe. As you know, the State has consistently advocated for private funding solutions for the Arimetco portion of the Site for several years. After consulting with the Tribe and others on the matter, the Governor provided conditional concurrence with EPA's proposal to add the Site to the National Priorities List in March of 2016 to EPA, and one of the conditions was preserving the option for private funding for the Site. The State believes this option could provide additional funding certainty for the Site in these times of uncertain federal budgets and that it is good public policy to use private instead of public funds where possible, and where it can be done in a manner that is as protective as a federal funding route. We recognize the Tribe and others in the community strongly support NPL listing and have several concerns about any alternative paths. At the Governor's direction and as required by EPA policies concerning deferral of NPL-caliber sites, NDEP is committed to consulting with the tribe regularly over the next several months on the path forward for the Site. Frankly, we need and will seek your input and questions about management options for the Site before any final recommendations or decisions are made concerning NPL deferral. Again, thank you for the chance to meet with you here this evening and we look forward to future communications with you and tribal staff.

C. Answer to key question – Why didn't you come to us sooner? We are upset that you didn't include us earlier in this decision to postpone.

We understand and respect the Tribe's need to be informed on site status and how the Tribe's interests may be affected, and the Tribe's key role as a stakeholder in providing input and concerns related to overall Site management. Before broaching broader discussions on an alternative path, we needed to be able to explain to EPA, BLM and site stakeholders, including the Tribe, why we believed alternative private funding path with ARC was even viable. We communicated as quickly as we could to EPA and BLM once we reached that basic threshold and then we needed to understand the key issues from EPA and BLM perspective before proceeding with broader consultation. As I stated earlier, we are committing to regular consultation

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with the Tribe and others over the next several months before any final recommendations or decisions are made. Please know that all site studies, field investigations, remedy evaluations and other actual site progress have continued unimpeded and un-delayed under EPA site lead with support from NDEP and BLM while NDEP has engaged with ARC, and the EPA and BLM on discussions related to a potential NPL deferral path.